

## MINUTES

### COUNCIL ADMINISTRATOR FORM OF GOVERNMENT FOR AIKEN COUNTY

COUNCIL CHAMBERS, 736 RICHLAND AVENUE, W., AIKEN, S. C.

REGULAR MEETING – AUGUST 16, 2005 – 7:00 P. M.

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#### (A) CALL TO ORDER

Determining that a quorum was present, Chairman Young called the meeting to order.

Council Members present:

Chairman Ronnie Young  
Kathy Rawls  
Scott Singer  
LaWana McKenzie  
Chuck Smith  
Eddie Butler  
Charles Barton  
Gary Bunker  
Willar H. Hightower, Jr.

Also present:

J. Clay Killian, County Administrator  
Robert M. Bell, County Attorney  
Tamara Sullivan, Council Clerk

#### (B) INVOCATION

Councilman Hightower led in the invocation.

#### (C) PLEDGE OF ALLEGIANCE

Councilman Bunker led in the Pledge of Allegiance.

#### (D) APPROVAL OF MINUTES

1. July 19, 2005 Worksession
2. July 19, 2005 Regular Meeting
3. July 26, 2005 Special Meeting

- a. Councilman Smith made a motion to approve the minutes. Councilwoman McKenzie seconded.
- b. The minutes were approved by unanimous vote.

#### (E) APPROVAL OF AGENDA

- a. Councilman Butler made a motion to amend and approve the agenda as follows:
  1. Delete Consent Items 10 through 15.
  2. Delete Consent Item 26.
  3. Defer Consent Item 30 until after Executive Session.

4. Add Consent Item 31 – Proposed Resolution To Adopt the National Incident Management System (NIMS) Concept of Emergency Planning and Unified Commands.
  5. Move the presentation portion of New Business Item 3 to Awards and Recognitions Item 5.
  6. Amend New Business Item 3 by removing the phrase “Endorse” from the Resolution.
  7. Delete New Business Item 6.
- b. Councilwoman McKenzie seconded the motion. The amended agenda was approved by unanimous vote.

(F) AWARDS AND RECOGNITIONS

1. Special Presentation by the Legislative Delegation.  
  
The Legislative Delegation, on behalf of the State Budget and Control Board, presented \$340,000 to the Sheriff’s Office for reimbursement for the Graniteville Train Disaster. The funds will be distributed on a quarterly basis.
2. Proposed Resolution to Commend the Wagener Double Dutch Forces Team on its Outstanding Accomplishments.  
(Rawls)
  - a. Councilwoman Rawls moved for the adoption. Councilman Hightower seconded.
  - b. Passed by unanimous vote.
3. Proposed Resolution to Commend the 13 Year Old Dixie Boys Allstars for Their Performance in the South Carolina State Championship in Bluffton, South Carolina and for Winning the Sportsmanship Award.  
(County Council)
  - a. Councilman Singer moved for the adoption. Councilwoman McKenzie seconded.
  - b. Passed by unanimous vote.
4. Proposed Resolution Expressing Condolences to the Family of Kenneth Youngblood, Former Employee of the Public Works and Engineering Department.  
(County Council)
  - a. Councilwoman McKenzie moved for the adoption. Councilman Smith seconded.
  - b. Passed by unanimous vote.
5. Recognition of the Strategic Plan Steering Committee and presentation of the Strategic Plan.  
**(PRESENTATION MOVED FROM NEW BUSINESS ITEM 3)**
  - a. Mr. Rick Osbon, Chairman of the Strategic Plan Steering Committee, presented the Council with the Strategic Plan and thanked all of the staff and citizens involved in the Together Aiken County project.

(G) PUBLIC HEARINGS

1. Request for Approval of a Proposed Amendment to the Aiken County Official Zoning and Development Atlas to Rezone Tax Parcel 127-06-01-009 Located at 2193 & 2195 Williston Road (US-278), New Ellenton, SC in Council District 2 from RC to RD.
  - a. Councilman Singer provided some background information and stated that the parties involved had worked out the details and had reached an agreement.
2. Request for Approval of a Proposed Amendment to the Aiken County Official Zoning and Development Atlas to Rezone Tax Parcel 106-12-12-003 Located at 116 Thomas Street (S-1999), Aiken, SC in Council District 7 from RC to OR.
  - a. No comments were made.

(H) OLD BUSINESS

1. Proposed Ordinance to Approve a Proposed Amendment to the Aiken County Official Zoning and Development Atlas to Rezone Tax Parcel 024-17-01-002 Located at 1119 Atomic Road, North Augusta, SC in Council District 3 from RUD to IND.  
(McKenzie) (Third Reading)
  - a. Councilwoman McKenzie made a motion for the approval. Councilman Smith seconded.
  - b. Councilwoman McKenzie requested that Mr. Dorch, a citizen who lives across from the site requesting the rezoning, be allowed to speak.
  - c. Mr. Dorch voiced his concerns about health hazards that could be present at the junkyard site. Mr. Dorch also stated that he saw no postings for the public hearing about the rezoning request.
  - d. Councilwoman McKenzie stated that she supported the rezoning request because the IND zone had more restrictions in it and would therefore provide additional protection to the surrounding properties.
  - e. The Ordinance passed by majority vote with Councilman Hightower voting in opposition.
2. Proposed Ordinance to Approve a Proposed Amendment to the Aiken County Official Zoning and Development Atlas to Rezone Tax Parcels 048-00-10-003, 049-00-03-001 and 049-00-03-002 Located on Bettis Academy Road, Graniteville, SC in Council District 6 from RUD to PUD.  
(Barton) (Third Reading)
  - a. Councilman Barton made a motion to approve the Ordinance. Councilwoman McKenzie seconded.
  - b. Passed by unanimous vote.
3. Proposed Ordinance to Amend Article V of the Declaration of Covenants, Conditions and Restrictions of the Savannah River Research Campus to Authorize Collection of Covenant Fees for Lease Property.  
(Administrative Committee)
  - a. Councilman Singer moved for the adoption. Councilwoman Rawls seconded.

- b. Passed by unanimous vote.
- 4. Proposed Ordinance Authorizing the Acceptance of a Loan, the Execution and Delivery of a Loan Agreement and Other Documents Related to a Loan from the Lower Savannah Council of Governments in the Amount of \$750,000 for the Hydrogen Lab being Constructed at Savannah River Research Campus and Determining Other Matters in Connection Therewith.  
(County Council) (Third Reading)
  - a. Councilwoman Rawls moved for the approval. Councilman Butler seconded.
  - b. Passed by unanimous vote.
- 5. Proposed Resolution to Authorize the Distribution of Local Accommodations Tax Funds.  
(Administrative Committee)

- a. Councilman Butler made a motion to approve the list that came out of the Administrative Committee with the proposed distribution of the Local Accommodations Tax funds as listed below:

Town of Wagener	\$4,500.00
Town of Salley	\$4,060.00
Town of Jackson	\$10,000.00
Town of Perry	\$7,500.00
Jacksonville Lodge/School	\$3,850.00
Aiken County Historical Museum	\$0.00
Silver Bluff Audubon Center	\$17,876.00
Olde Towne Preservation Association	\$24,126.00
Town of Burnettown	\$31,766.00
Beech Island Historical Society	\$4,000.00
Battle of Aiken	\$14,320.00
<b>Subtotal</b>	<b>\$121,998.35</b>
Aiken Corp. Inc. Railroad Depot	\$23,750.00
SRS Heritage Foundation	\$0.00
Aiken Corp. Inc. African American Heritage Center	\$57,700.00
Aiken Center for the Arts	\$33,750.00
North Augusta Chamber	\$0.00
<u>American Legion</u>	<u>\$35,000.00</u>
<b>Subtotal</b>	<b>\$150,000.00</b>
<b>Total</b>	<b>\$271,998.35</b>

- b. Councilman Singer seconded the motion.
- c. Councilman Butler offered an amendment motion to reduce the amounts on the top part of the list by 5% and add that amount to the African American Heritage Center. Councilman Hightower seconded the amendment motion.
- d. The amendment motion passed by majority vote with Councilwoman Rawls, Councilman Smith, Councilman Butler, Councilman Hightower and Chairman Young voting in favor. Councilman Barton and Councilman Bunker voted in opposition. Councilman Singer and Councilwoman McKenzie abstained.

- e. The amended Resolution passed by unanimous vote.

(I) CONSENT AGENDA/INTRODUCTION OF ORDINANCES FOR FIRST READING

I. REGULAR CONSENT AGENDA

1. Proposed Resolution to Appoint One Member to Designated Boards, Commissions and Committees with Terms of the Appointees to Run Concurrent with that of the Councilmember from Districts 1, 2, 3, 4, 6, and 7.  
(Rawls, Singer, McKenzie, Smith, Barton, Bunker)
2. Proposed Resolution to Appoint Four Members to the Lower Savannah Workforce Development Board.  
(Administrative Committee)
3. Proposed Resolution to Approve the Allocation of Funds for Various Non-Profit Agencies from the FY 2006 Council Contingency Fund.  
(County Council)
4. Proposed Resolution to Authorize the Inclusion of County Officials Required by State Law to be Bonded to be Covered by the County's Blanket Fidelity Bond.  
(Administrative Committee)
5. Proposed Resolution to Authorize the Council Chairman to Execute an Amendment to the Agreement with Hewitt Coleman & Associates for Third Party Administration of Insurance Claims.  
(Administrative Committee)
6. Proposed Resolution to Authorize the Council Chairman to Enter into an Agreement with Mabus Brothers Construction Co. for Browns Pond Road Paving.  
(Development Committee)
7. Proposed Resolution to Authorize the Council Chairman to Enter into an Agreement with T.B. Bulldozing, Inc. for Flowing Wells Road Paving.  
(Development Committee)
8. Proposed Resolution to Assign the Official Road Names to Existing Un-Named Private Roads in County Council District 1, 2, 5, 6, and 7.  
(Rawls, Singer, Butler, Barton, Bunker)
9. Proposed Resolution to Direct that Speed Limit Signs be Erected on Bonnie Blue Drive (C-2500) Located in Council District 8.  
(Hightower)
10. **DELETED**
11. **DELETED**
12. **DELETED**
13. **DELETED**
14. **DELETED**

15. **DELETED**
16. Proposed Resolution to Declare the Results of a Referendum Held on November 2, 2004, in Aiken County, South Carolina, for the Purpose of Determining Whether or Not a One Percent Sales and Use Tax Should be Imposed in Aiken County for Not More than Seven Years to Raise the Sum of \$114,412,985 the Proceeds of Which Would be Expended for Road Improvements Pursuant to the Capital Project Sales Tax Act.  
(County Council)
17. Proposed Resolution to Accept a Deed and Certificate of Title for Cedar Ridge Dr (C-2571) and Meadows Ridge Ct (C-2572) in Cedar Meadows Equestrian II Located in Council District 2.  
(Singer)
18. Proposed Resolution to Accept a Deed and Certificate of Title for Country Glen Avenue (C-2597) and Stoneview Street (C-2596) in Sudlow Trails at Horse Creek Subdivision Located in Council District 5.  
(Butler)
19. Proposed Resolution to Recognize the 11<sup>th</sup> Biannual Family Reunion of the Golphin-Green Family.  
(Hightower)
20. Proposed Resolution to Recognize Virginia D. Etson on Her Retirement After 32 Years of Service to Aiken County Citizens.  
(Hightower)
21. Proposed Resolution to Authorize the Council Chairman to Execute a Contract with Motorola for an Omnitrak Latent Workstation for the Sheriff's Office.  
(Judicial and Public Safety Committee)
22. Proposed Resolution to Authorize the Acceptance of an Edward Byrne Memorial Justice Assistance Grant for the Sheriff's Office.  
(Judicial and Public Safety Committee)
23. Proposed Resolution to Authorize the Central Procurement Division to Purchase an Allen Bradley Pump Drive Package from Burk Integration.  
(Development Committee)
24. Proposed Resolution to Accept an Easement on Satcher Pond Road (C-520) Needed for Capital Projects Sales Tax Paving Project.  
(Development Committee)
25. Proposed Resolution to Authorize the County Administrator to Dispose of Surplus Property.  
(Development Committee)
26. **DELETED**
27. Proposed Resolution to Authorize the Reclassification of One Position in Public Works/ Engineering and One Position in the Parks, Recreation & Tourism Department.  
(Development Committee)
28. Proposed Resolution to Authorize the Acceptance of a Grant from the South Carolina Department of Commerce for the Global Containment Systems, LLC Project.

(Administrative Committee)

29. Proposed Ordinance to Approve a Proposed Amendment to the Aiken County Official Zoning and Development Atlas to Rezone Tax Parcel 026-20-09-002 Located at 263 Dobson Road, Beech Island, SC in Council District 3 from RUD to UD.  
(McKenzie) (Second Reading)
30. **DEFERRED UNTIL AFTER EXECUTIVE SESSION**
31. Proposed Resolution to Adopt the National Incident Management System (NIMS) Concept of Emergency Planning and Unified Command.  
(County Council) **(ADDITION)**
  - a. Councilwoman McKenzie made a motion to approve the Consent Agenda. Councilman Butler seconded.
  - b. The Consent Agenda was approved by unanimous vote.

(J) NEW BUSINESS

1. Presentation Concerning DHEC New Facility  
(Dr. Glenn Nichols, DHEC)
  - a. Dr. Nichols discussed the need for a new DHEC facility that is designed to provide services, much needed additional space, and will assist in addressing public health issues.  
  
Dr. Nichols distributed an information packet to Council which recommended the lease of the old Kroger building near the hospital for use as a DHEC facility.
  - b. Council thanked Dr. Nichols for his presentation and informed him that a subcommittee of Council was in the process of addressing the needs of not only DHEC but also the long term needs of all the County services.
2. Proposed Resolution to Authorize the Council Chairman to Execute a Lease Agreement with CMM Realty, Inc. for the Rental Space for the Aiken County Health Department.  
(Administrative Committee)
  - a. Councilman Singer made a motion to Table the Resolution. Councilman Butler seconded.
  - b. The Resolution was Tabled by unanimous vote.
3. Proposed Resolution to Accept the Together Aiken County Strategic Plan for Aiken County and to Request that Staff Recommend a Structure for the Implementing Task Force.  
(County Council)
  - a. Councilman Butler made a motion to approve the Resolution. Councilman Hightower seconded.
  - b. Councilman Bunker made a motion to amend the Resolution by removing “endorse” under Now Therefore. Councilman Butler seconded.
  - c. Passed by unanimous vote.

4. Request for Approval of a Proposed Amendment to the Aiken County Official Zoning and Development Atlas to Rezone Tax Parcel 127-06-01-009 Located at 2193 & 2195 Williston Road (US-278), New Ellenton, SC in Council District 2 from RC to RD:

- A. Proposed Ordinance to Approve a Proposed Amendment to the Aiken County Official Zoning and Development Atlas to Rezone Tax Parcel 127-06-01-009 Located at 2193 & 2195 Williston Road (US-278), New Ellenton, SC in Council District 2 from RC to RD.  
(Singer) (First Reading)

or

- B. Proposed Resolution to Disapprove a Proposed Amendment to the Aiken County Official Zoning and Development Atlas to Rezone Tax Parcel 127-06-01-009 Located at 2193 & 2195 Williston Road (US-278), New Ellenton, SC in Council District 2 from RC to RD.  
(Singer)

- a. Councilman Singer made a motion to approve the Ordinance under Option A. Councilwoman McKenzie seconded.
- b. The Ordinance under Option A was approved by unanimous vote.

5. Request for Approval of a Proposed Amendment to the Aiken County Official Zoning and Development Atlas to Rezone Tax Parcel 106-12-12-003 Located at 116 Thomas Street (S-1999), Aiken, SC in Council District 7 from RC to OR:

- A. Proposed Ordinance to Approve a Proposed Amendment to the Aiken County Official Zoning and Development Atlas to Rezone Tax Parcel 106-12-12-003 Located at 116 Thomas Street (S-1999), Aiken, SC in Council District 7 from RC to OR.  
(Bunker) (First Reading)

or

- B. Proposed Resolution to Disapprove a Proposed Amendment to the Aiken County Official Zoning and Development Atlas to Rezone Tax Parcel 106-12-12-003 Located at 116 Thomas Street (S-1999), Aiken, SC in Council District 7 from RC to OR.  
(Bunker)

- a. Councilman Bunker made a motion to approve the Ordinance under Option A. Councilman Hightower seconded.
- b. The motion to approve the Ordinance under Option A passed by unanimous vote.

6. **DELETED**

(K) ITEMS FOR INFORMATION AND THE PUBLIC RECORD

1. Fiscal Year 2005 Aiken County Contingency Report as of July 20, 2005.

(L) INFORMAL MEETING OF WHOLE



- a. Mr. Ed Giobbe, a member of the Aiken City Planning Commission, raised questions about the billboard at the intersection of Pine Log Road and Banks Mill Road. Staff will look into the matter.

Mr. Giobbe also voiced his concern about the development on US 1 between Aiken and North Augusta and the need to avoid problems that are currently being experienced on Whiskey Road.

- b. Councilman Hightower distributed a memorandum concerning his attendance of SCAC Annual Conference and the Institute of Government class that he attended. A binder with the Conference information is in the Council mailroom. Councilman Hightower also commented that he would like Aiken County to submit an entry for the J. Mitchell Graham Award.
- c. Councilman Smith made a motion to recess for Executive Session. Councilman Butler seconded.
- d. The motion to recess passed by unanimous vote.

RECESSED – 8:48 P. M.

(M) EXECUTIVE SESSION

1. Legal Matters:
  - a. Status Report on Pending Litigation, Legal Claims and Legal Advice.  
(County Attorney) (Verbal)
2. Contractual Matters:
3. Personnel Matters:

RECONVENED – 11:23 P. M.

- a. Councilman Barton made a Voice Motion to Approve an Ordinance Creating the Trolley Run and Sage Creek Redevelopment Project Area. Approving the Tax Increment Financing Plan and Authorizing the Distribution of the Redevelopment Plan and the Tax Increment Financing Plan. (First Reading)
- b. Councilman Butler seconded the Voice Motion. The Voice Motion passed by majority vote with Councilwoman Rawls, Councilwoman McKenzie, Councilman Smith, Councilman Butler, Councilman Barton, Councilman Hightower, and Chairman Young voting in favor. Councilman Singer and Councilman Bunker voted in opposition.
- c. Councilman Barton made a motion to approve the Proposed Ordinance to Appropriate Funds from the General Fund of Aiken County to Reimburse Late Fees and Penalties Paid on Certain Parcels of Property Identified by Tax Parcel 087-12-02-003, 123-09-11-011, 087-12-02-018, 036-08-03-013, 036-08-03-011 and 036-08-03-010 Owned by Johnny O. Jackson to Promote the Interest of Justice and Equity.  
**(CONSENT ITEM 30 – DEFERRED UNTIL AFTER EXECUTIVE SESSION)**  
(Second Reading)
- d. Councilwoman McKenzie seconded the motion. The motion was approved by unanimous vote.
- e. Councilman Butler made a Voice Motion to instruct the County Administrator to fill the vacancy in Judge Carter's office as soon as possible while leaving the rest of the freeze in place.

- f. Councilwoman McKenzie seconded the Voice Motion. The Voice Motion was approved by unanimous vote.
- g. Councilman Smith made a motion to adjourn the meeting. Councilman Butler seconded.
- h. The motion to adjourn passed by unanimous vote.

(N) ADJOURNMENT – 11:27 P. M.

Respectfully submitted,

SIGNED:

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Tamara Sullivan, Council Clerk

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Ronnie Young, Chairman